

JOINT DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names:

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled EXHAUST OPACITY MEASURING DEVICE, the specification of which

☐ is attached hereto.

☒ was filed on December 9, 1999 as Application Serial Number 09/457,391 and was amended on _____

(if applicable)

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to in this declaration.

We acknowledge the duty to disclose all information known to us to be material to the patentability of this application, as defined in 37 C.F.R. § 1.56.

We acknowledge the duty to disclose to the Office all information known to us to be material to patentability as defined in § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed Under 35 U.S.C. 119
				Yes [] No []
				Yes [] No []
				Yes [] No []
				Yes [] No []

Prior United States Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below

Application Serial Number	Date of Filing (day, month, year)
60/111,959	December 11, 1998

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned

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And we hereby appoint _____ jointly and severally, as our attorneys with full _____ of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names:

Thomas J. Scott, Jr., Registration No. 27,335; Stanislaus Aksman, Registration No. 23,562; James G. Gatto, Registration No. 32,694; Henry C. Su, Registration No. 37,738; Christopher C. Campbell, Registration No. 37,291; Charles B. Lobsenz, Registration No. 36,357; Charles F. Hollis, Registration No. 40,650; Brian M. Buroker, Registration No. 39,125; Jonathan D. Link, Registration No. 41,548; Christopher J. Cuneo, Registration No. 42,450; Raphael A. Valencia, Registration No. 43,216; Kevin Duncan, Registration No. 41,495; Kevin J. Dunleavy, Registration No. 32,024; George Georgellis, Registration No. 43,632; Scott D. Balderston, Registration No. 35,435; Steven P. Klocinski, Registration No. 39,251; Yisun Song, Registration No. 44,487; Steven T. Schreiner, Registration No. 43,097; and Jennifer A. Albert, Registration No. 32,010.

All correspondence and telephone communications should be addressed to Hunton & Williams, 1900 K Street, N.W., Washington, D.C. 20006-1109, telephone number (202) 355-1500, which is also the address and telephone number of each of the above listed attorneys.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature _____

Date _____

Full Name of
First Inventor

DIDOMENICO
Family Name

John
First Given Name

Second Given Name

Residence 8810 East Bear Paw Place, Tucson, AZ 85749

Citizenship U.S.A.

Post Office
Address Same as above

Signature _____

Date _____

Full Name of

Second Inventor

JOHNSON
Family Name

James
First Given Name

H.
Second Given Name

Residence 7887 N. Cholla, Apt. 1117, Tucson, AZ 85741

Citizenship U.S.A.

Post Office
Address Same as above

Signature _____

Date _____

Full Name of
Third Inventor

STEDMAN
Family Name

Donald
First Given Name

H.
Second Given Name

Residence 2620 So. Fillmore Street, Denver, CO 80210

Citizenship U.S.A.

Post Office
Address Same as above

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FEB 23 1990

Date _____

Date _____

HUNTON & WILLIAMS
1900 K Street, N.W., Suite 1200
Washington, D.C. 20006-1109
Tel: (202) 955-1500
Fax: (202) 778-2201

ASSIGNMENT

WHEREAS, We, John DIDOMENICO, a citizen of the United States of America, residing at 8310 East Bear Paw Place, Tucson, AZ 85749; Craig S. RENDAHL, a citizen of the United States of America, residing at 4642 West Globeberry Street, Tucson, AZ 85741; James H. JOHNSON, a citizen of the United States of America, residing at 7887 N. La Cholla, Apt. 1117, Tucson, AZ 85741; Donald H. STEDMAN, a citizen of the United States of America, residing at 2620 So. Fillmore Street, Denver, CO 80210; and Gary A. BISHOP, a citizen of the United States of America, residing at 297 Lafayette Street, Louisville, CO 80027 (the "Assignor(s)"); respectively, have made an invention entitled

EXHAUST OPACITY MEASURING DEVICE

described in the application for United States Letters Patent filed on December 9, 1999, and accorded serial number 09/457,391; and

WHEREAS, ENVIROTEST SYSTEMS CORPORATION (the "Assignee"), a Delaware corporation having a place of business at 11 Kripes Road, East Granby, CT 06026, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention in and to the application and all Letters Patent of the United States or any foreign country, including continuations, continuations-in-part, reissues, reexaminations, extensions, substitutes and divisions which may be granted therefor;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said Assignors, by these presents do sell, assign, set over and transfer unto Assignee, its successors, legal representatives and assigns, the full and exclusive right in and to the said invention as described in the said application, and in and to any Letters Patent of the United

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States or any foreign country, including continuations, continuations-in-part, reissue, reexaminations, extensions, substitutes and divisions which may be granted therefor and all rights to claim priority on the basis of said application;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks or any other proper officer or agency of any country to issue all said Letters Patent to said Assignee;

AND WE HEREBY warrant and covenant that we have the full right to convey the entire interest herein assigned and that we have not executed and will not execute any instrument of assignment in conflict herewith;

AND WE HEREBY agree to communicate to said Assignee or its representatives any facts known to us respecting said invention, to execute all divisional, continuation, continuation-in-part, reissue, reexamination, extension, substitute and foreign applications, sign all lawful documents and make all rightful oaths and declarations relating to said inventions, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors, legal representatives or assigns, and to testify in any judicial or administrative proceeding and generally do everything possible to aid the said Assignee to obtain and enforce said Letters Patent in the United States or any foreign country when requested so to do by said Assignee.

Date of Execution:

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

COUNTY OF)
) ss:
 STATE OF)

On this _____ day of _____, 2000, before me a Notary Public in and for the County and State aforesaid, personally appeared John DiDomenico, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument and acknowledged the same to be of his free act and deed.

(SEAL)

Notary Public

My commission Expires:

Signature of Inventor:

Inventor's Name:

Craig S. Rendahl

Date of Execution:

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

COUNTY OF

)

) ss:

STATE OF

)

On this _____ day of _____, 2000, before me a Notary Public in and for the County and State aforesaid, personally appeared Craig S. Rendahl, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument and acknowledged the same to be of his free act and deed.

(SEAL)

Notary Public

My commission Expires: _____

Signature of Inventor:

Inventor's Name:

Donald H. Stedman

Date of Execution:

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

COUNTY OF

)

) ss:

STATE OF

)

On this _____ day of _____, 2000, before me a Notary Public in and for the County and State aforesaid, personally appeared Donald H. Stedman, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument and acknowledged the same to be of his free act and deed.

(SEAL)

Notary Public

My commission Expires: _____

Signature of Inventor:

Inventor's Name:

Gary A. Bishop

Date of Execution:

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

COUNTY OF

)

) ss:

STATE OF

)

On this _____ day of _____, 2000, before me a Notary Public in and for the County and State aforesaid, personally appeared Gary A. Bishop, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be of his free act and deed.

(SEAL)

Notary Public

My commission Expires: _____

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